

Exhibit 1

From: Jacobson, Jeffrey <JJacobson@KelleyDrye.com>
Sent: Wednesday, September 26, 2018 3:34 PM
To: Pees, Robert
Cc: Krolewski, Martin A.
Subject: resolution of dispute on Foresman deposition

****EXTERNAL Email****

Bob,

Thank you very much for two days of productive discussions aimed at resolving our differences over the propriety, scope, and timing of discovery to be taken of your client Mr. Foresman pursuant to Section 1782. Subject to your confirmation, I believe we have agreed as follows:

- 1) You will withdraw your motion to quash the subpoena.
- 2) We will withdraw our document requests to Mr. Foresman and press only the request for a deposition.
- 3) The deposition will occur on a mutually agreeable date to be set no earlier than November 12, 2018, and no later than December 14, 2018, either in New York City or London. (We further agree it will not be scheduled during Thanksgiving week.)
- 4) You agree not to oppose the pro hac vice application of Bernard O'Sullivan to practice in New York for the limited purpose of taking the deposition, if the deposition is to occur in New York. (Obviously, if the deposition will be sited in London, which it seems both of us may prefer, this should not be an issue.)

If this is acceptable to you, then I would request that you either withdraw your motion to quash or else prepare a letter to Judge Kaplan advising the Court that we have resolved our differences. I will be out of pocket for the next couple of hours, but Marty Krolewski has my proxy.

Please advise, and thanks,

Jeff

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